

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

DISTRIBUTING IMAGES TO MULTIPLE RECIPIENTS, the specification of which

is attached hereto.

was filed on _____ as Application Serial No.

and was amended on _____.

was described and claimed in PCT International Application No.

filed on _____ and as amended under

PCT Article 19 on _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. SERIAL NO.	FILING DATE	STATUS
60/151,533	August 31, 1999	Abandoned
60/159,372	October 14, 1999	Abandoned
09/436,704	November 9, 1999	Pending

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full name of Inventor: Daniel R. Baum
First Middle Last

Inventor's Signature D R B

Date: 12/21/01

Residence: 685 San Mateo Drive, Menlo Park, CA 94025

Citizenship: USA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant: Baum	§	Group Art Unit: N/A
Serial No.: N/A	§	
Filed: Herewith	§	
For: DISTRIBUTING IMAGES TO MULTIPLE RECIPIENTS	§	Examiner: N/A

**DECLARATION OF XIN WEN
IN SUPPORT OF ACCELERATED EXAMINATION**

1. My name is Xin Wen, Ph.D. I am a Director of Process Engineering and Intellectual Property at Shutterfly, Inc., the assignee of the present application.
2. I have been at Shutterfly, Inc. since March 2000. In my capacity as Director of Process Engineering and Intellectual Property, I supervise the procurement of intellectual property including patents, copyrights, trademarks, domain names, licensing intellectually property, and monitoring competitive activities and prior art pertinent to Shutterfly's business activities.
3. I have made a careful review of the claims of the instant application and I have determined that there is an infringing device or product actually on the market or method in use.
4. I have performed a rigid comparison of the alleged infringing device, product, or method with the claims of the application has been made, and that, in my opinion, some of the claims are unquestionably infringed.
5. A search has been performed by the European Patent Office for the parent application serial no. 09/436,704, the results of which are being provided in this application.
6. I have good knowledge of the pertinent prior art and as of the execution date, copies of the closest known prior art are enclosed herewith.
7. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Xin Wen

Xin Wen, Ph. D.

Date 12/21/2001

Please type a plus sign (+) inside this box →

PTO/SB/81 (02-01)

Approved for use through 10/31/2002. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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POWER OF ATTORNEY OR AUTHORIZATION OF AGENT	Application Number	N/A
	Filing Date	Herewith
	First Named Inventor	Daniel R. Baum
	Title	Distributing Images to Multiple Recipients
	Group Art Unit	
	Examiner Name	
	Attorney Docket Number	Shutterfly-004C001

I hereby appoint:

Practitioners at Customer Number

OR

Practitioner(s) named below:

→ *Place Customer Number Bar Code Label here*

Name	Registration Number
Bao Tran	37,955

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

The above-mentioned Customer Number.

OR

Practitioners at Customer Number →

<input checked="" type="checkbox"/> Firm or Individual Name	Tran & Associates				
Address	3103 Glen Alto Court				
Address					
City	San Jose	State	CA	ZIP	95148
Country	USA				
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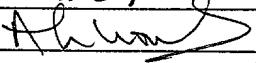
I am the:

Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name	ANDY WOOD, CEO	
Signature		
Date	12/21/2001	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.		
<input type="checkbox"/> *Total of _____ forms are submitted.		

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.